

Joseph Walsh, acting Pro Se
Plaintiff
e-mail lonevet2008@comcast.net
7348 SE Division St.
503-946-8428

FILED 22 FEB '18 10:55 USDC ORP

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

Joseph Walsh
Plaintiff(s),

Case No.3:17-cv-01899-PK

v.

City of Portland, et al.
Defendant(s).

Certificate Pursuant to Local Rule 7-1

I acknowledge that the City of Portland, (to now be referred as "City")
and I did speak on the phone but refute that there was good faith effort
on the side of the City. I was told Mr. Simon was now representing
the City, Mayor Wheeler and the police department or bureau. There
was no discussion of resolving the issue before us. There is a vast

difference in consulting and a good faith effort, the City consulted but did not in any manner offer anything that would be even the beginning of settlement or resolution of the issue.

1. Introduction:

I rely on the Bill of Rights, 1st Amendment to bring this action and specifically the last lines where it states, “.....or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

If sitting on a park bench playing music on a plastic pail, making little noise and not threatening anyone is not a protected right of assembly please tell me what action is? Individuals For Justice met in the park to protest against a white separatist group who came to march in our streets. In a non violent way, we represented ourselves and not part of any coalition that was present anywhere in the city. We would cite Maleeha Ahmad, et al., vs. City of St. Louis Missouri, case number 4:17 CV 2455 CDP as a

preliminary injunction granted and ordered dealing with excessive force in the use of chemical weapons. (dated 15th of November 2017)

The question that screams for an answer:

“What did I do that caused the Portland Police to use chemical weapons, rubber bullets, and concussion grenades against me?

We still do not know what kind of chemicals were used, and hope we will find out during discovery process.” The first indication that I had that something was wrong was a cloud of smoke coming towards us from Terry Shrunk Park which was across the street from where we were sitting on the benches. I was pulled out of the park by Malcolm Chaddock who was in a panic because he feared for my health. We went

two blocks to 4th Avenue and Mr. Chaddock got his private truck and took me out of the area. I was shaken and wondered for the next few days what would be the result of being exposed to this chemical. As we departed the park the police fired rubber bullets and used concussion grenades. We were all now terrified that we would be arrested or seriously injured by the actions of the police.

This was excessive force without provocation, and I rely on Maleeha Ahmad, et al., v City of St. Louis, Missouri, Case No. 4:17 CV 2455 CDP

Legal Standard:

I believe that I have fulfilled the requirement to make a claim and disagree with the city on their interpretation of the request on the forms that stress a short encapsulation of the events that caused this action by me.

The city attorney here seems to want things both ways, the police should be removed from the claim because the city is in control of the police but my inclusion of the police should be denied due to the police not being under the control of the city. The mayor of the city is also the Commissioner of Police and the highest ranking police officer in the leadership of the police bureau. That is why both the mayor and the police and listed as defendants, they are both decision makers and we should let a jury decide who did what after all the evidence is

submitted at trial.

I cannot be expected to place blame until after discovery and present that information to the jury.

Conclusion:

I wish to proceed and will wait for instructions concerning request for information from the city, police, and Mayor Wheeler.

I cannot request information if parties are excluded from the case, it is our opinion that each defendant has unique information and responsibility.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'J Walsh', with a long horizontal flourish extending to the right.

Joseph Walsh

Email: lonevet2008@comcast.net

CERTIFICATE OF SERVICE


I hereby certify that on 2/18/2018, I made service of the following document:
(date)

Plaintiff's Response to Defendant's request for Dismissal
(document title)

by placing a copy in a first-class postage paid envelope in Portland, Or for
(city)
delivery by U.S. mail to the address(es) set forth below:

Mr. Daniel Simon
(name)

Counsel for: City of Portland, et al
(name of party)
1221 SW 4th Ave. Portland, Or. 9720
(mailing address)


(signature)
Joseph Walsh
(name)
7348 SE Division St
(address)